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on August 7, 2008

PATENT
Docket No.: 016994-018800US

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donna E. Prunkard, et al.

Application No.: 09/232,488

Filed: January 15, 1999

For: PRODUCTION OF FIBRINOGEN
IN TRANSGENIC ANIMALS

Customer No.: 20350

Confirmation No.: 1781

Examiner: D. Crouch

Art Unit: 1632

PETITION UNDER 37 CFR §1.47(a)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition is submitted pursuant to 37 CFR §1.47(a) because one of the two inventors, Donna E. Prunkard has declined to sign a supplemental declaration. Applicants submit herewith a supplemental declaration signed by the other inventor, Donald C. Foster on behalf of himself and Dr. Prunkard.

A petition submitted under 37 CFR §1.47(a) requires: (a) a proof of the pertinent facts which show that the nonsigning inventor refuses to execute the application papers; (b) the fee required by 1.17(g); and (c) the last known address of the nonsigning inventor.

(a) Proof of the Pertinent Facts

The circumstances underlying Donna E. Prunkard 's declining to sign the declaration and efforts to obtain her signature are related in the attached declaration of Jeff Landes and its exhibit.

In brief, Donna Prunkard was provided a copy of the original claims of the patent being reissued, the reissue claims as filed, the currently amended claims and asked to sign the declaration now being provided. Donna Prunkard had already reviewed a copy of the specification as filed as related in her declaration of January 13, 1999 filed with the application (see Landis at paragraph (8)).

Dr. Prunkard declined to sign the declaration because she said she was not responsible for the "same vector" element of the claims (Landis at paragraph (5)). Nevertheless, a legal determination was made that she had made sufficient contribution to be a co-inventor of these claims (Landis at paragraph (6)). The reasons for the determination were explained to Dr. Prunkard several times as explained in Jeff Landis' declaration (Landis at paragraphs (5), (7)-(10)). Nevertheless, Dr. Prunkard continued to refuse to sign the declaration, and Dr. Landis concluded that further efforts to obtain her signature would be futile (Landis at paragraph (11)).

(b) Required Fee

Please charge the fee required by §1.17(g) for this petition of \$130, as well as any additional required fees, if applicable, or credit any overpayment, to Deposit Account No. 20-1430.

(c) Last Known Address

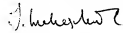
The last known address of the nonsigning inventor is:

Donna E. Prunkard, 1463 NW 92nd Ave., Seattle, WA 98117.

In view of the foregoing, Applicants submit the requirements of 37 CFR §1.47(a) have been met by this petition and accompanying documents. Therefore, it is respectfully requested that this petition be granted.

If the Patent Office has any questions regarding this petition, please
telephone the undersigned at 650-326-2400.

Respectfully submitted,



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